



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Stamm et al**

Application No. **10/665,520**

Group Art Unit: **1615**

Filed: **September 22, 2003**

Examiner: **Sheikh**

For: **Processes For Producing Fenofibrate Compositions**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Information Disclosure Statement

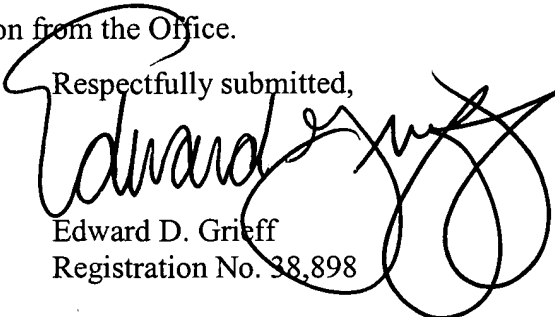
Pursuant to 37 CFR §§ 1.56, 1.97 and 1.98, Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449 Form. A copy of the Non Patent Literature Documents and the Foreign Patent Documents is attached hereto.

The submission of this Information Disclosure Statement does not represent that a search has been made and does not constitute an admission that the listed documents are material to patentability or that the listed documents are prior art.

This Information Disclosure Statement is being filed after the mailing date of a first office action on the merits, but before a final office action or a notice of allowance. Accordingly, the Commissioner is authorized to charge the fee of \$180 to Deposit Account No. 22-0261. The Commissioner is authorized to charge any other necessary fees or credit any overpayments to Deposit Account No. 22-0261.

Applicants respectfully request that the PTO return an initialed copy of the PTO-1449 Form with the next communication from the Office.

Respectfully submitted,



Edward D. Grieff
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Substitute for form 1449/PTO

PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	2
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Complete if Known

Application Number	10/665,520
Filing Date	September 22, 2003
First Named Inventor	Stamm
Art Unit	1615
Examiner Name	Sheikh
Attorney Docket Number	224616

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

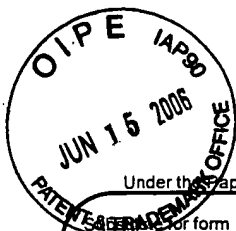
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 96/01621	01-25-1996	Astra Aktiebolag		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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STATEMENT BY APPLICANT**

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Sheet 2

of

2

Complete if Known

Application Number

10/665,520

Filing Date

September 22, 2003

First Named Inventor

Stamm

Art Unit

1615

Examiner Name

Sheikh

Attorney Docket Number

224616

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Opposition to European Patent No. 1 273 293 filed 9-2-2005 by Ethypharm. (English Language Translation)	✓
		Laboratoires S.M.B. S.A. Report pages 1-4 (undated)	
		Report from Pr. Rosset entitled "La biodisponibilite du fenofibrate et les polymeres hydrophiles," Pages 1-20 (March 1, 2005)	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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